IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.240 OF 2006 IN EXA. NO.115 OF 1996
IN
DELHI SUIT NO.218 OF 1993

Harmeet Singh Bawa and ors. ..Plaintiffs.
Vs.
Hafkins Bio Pharmaceutical Corporation
Limited and ors. ..Defendants.
And
Canara Bank. ..Respondent.

Mr. J.P. Singh i/by R.K. Midha for the Plaintiffs.

Mr. Yogesh Singh i/by Consulta Juris for the Defendants.

CORAM: R.S.MOHITE, J.
DATED: 5TH DECEMBER,2006.

P.C.

1. Heard both sides.

2. It appears that by an order dated 20.7.1999 at the request of the defendant No.1, Warrant of attachment was set aside as the Judgment debtor i.e. defendant No.1 was willing to secure the entire decretal amount as he wanted to move the Delhi High Court challenging the decree which is under execution. Although the said order was passed 7 years ago, the Advocate for the defendant No.1 states that he does not know if any appeal is filed. By the present chamber summons the plaintiffs seek directions to invoke the bank guarantee dated 7.2.2005 furnished by the respondent bank and

renewed in 2006. In the circumstances, it is directed that, unless the defendant No.1 files in this court a certified copy of any order staying or setting aside the decree, within a period of four weeks from today, the Prothonotary & Sr. Master of this court will invoke the bank guarantee dated 7.2.2005 furnished by the respondent bank and utilise the amount so recovered towards the satisfaction of the decree and other claims if any as per law. Chamber summons stands disposed off accordingly.

(R. S. MOHITE, J.)